




**CITY OF EL PASO, TEXAS
PLANNING, RESEARCH & DEVELOPMENT DEPARTMENT**

MEMORANDUM

TO: The Honorable Mayor and City Council
Jim Martinez, Chief Administrative Officer
Patricia D. Adauto, Deputy Chief Administrative Officer
Laura Uribarri, Executive Assistant to the Mayor
Adrian Ocegueda, Executive Assistant to the Mayor


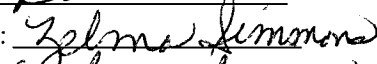
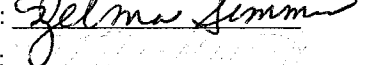
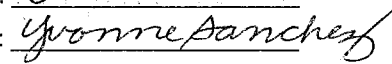



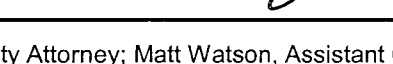

FROM: Rudy Valdez, Chief Urban Planner 

SUBJECT: City Council Agenda Item for ***Resolution for Meeting of September 28, 2004***
Savage Street

DATE: September 24, 2004

Attached for your review and information is copy of a resolution that authorizes that the City provide a quitclaim deed to Rich Leasing LLC for a portion of Savage Street that was vacated in 1958. A quitclaim deed was never provided to the owner in 1958. In addition the abutting owner of Savage Street is proposing to quitclaim to the City a portion of property that is currently being used as a sidewalk along Kansas Street. If you have any questions, please contact me at 541-4635. (District 1)

Office Use Only

Mayor's Office (3 copies):	date: <u>9/24/04</u>	time: <u>9:45 AM</u>	by: 
Representative District 1:	date: <u>9/24/04</u>	time: <u>9:45 AM</u>	by: 
Representative District 2:	date: <u>9/24/04</u>	time: <u>9:45 AM</u>	by: 
Representative District 3:	date: <u>9/24/04</u>	time: <u>9:45 AM</u>	by: 
Representative District 4:	date: <u>9/24/04</u>	time: <u>9:45 AM</u>	by: 
Representative District 5:	date: <u>9/24/04</u>	time: <u>9:45 AM</u>	by: 
Representative District 6:	date: <u>9/24/04</u>	time: <u>9:45 AM</u>	by: 
Representative District 7:	date: <u>9/24/04</u>	time: <u>9:45 AM</u>	by: 
Representative District 8:	date: <u>9/24/04</u>	time: <u>9:45 AM</u>	by: 

c: Lisa A. Elizondo, City Attorney; Terri Cullen-Garney, Assistant City Attorney; Matt Watson, Assistant City Attorney; Irene Ramirez, City Engineering; George Sarmiento, Planning Director

RESOLUTION

WHEREAS, the El Paso City Council approved vacation ordinance 1856 on March 6, 1958; and

WHEREAS, Ordinance 1856 vacated that part of Savage Street bounded by Kansas Street, Coffin Avenue, and Lot 11 in Block F-28 of the Alexander Addition; and

WHEREAS, Texas law provides that the abutting owner receives title to such land, once vacated; and

WHEREAS, the abutting property owner now requests a Quitclaim Deed from the City of El Paso covering the affected lands; and

WHEREAS, the abutting property owner separately acknowledges that a portion of Lots 11 and 12, Fractional Block 28, Alexander Addition is and has been used by the City of El Paso as a sidewalk and now wishes to quitclaim its interest, to the extent there is any, in such lands.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS:

1. That the City of El Paso hereby acknowledges receipt of a Quitclaim Deed for the area described as parcel "1" as more fully described in metes & bounds description provided within exhibit "A."
2. That the Mayor shall sign an instrument quitclaiming all of the City's right, title and interest in and to such vacated property described as parcel "2", as more fully described by metes & bounds description also provided within exhibit "A" to **Rich Leasing, L.L.C.**

PASSED AND APPROVED this ____ day of ____, 2004.

THE CITY OF EL PASO

Joe Wardy
Mayor

ATTEST:


Richarda Momsen
City Clerk

APPROVED AS TO FORM:



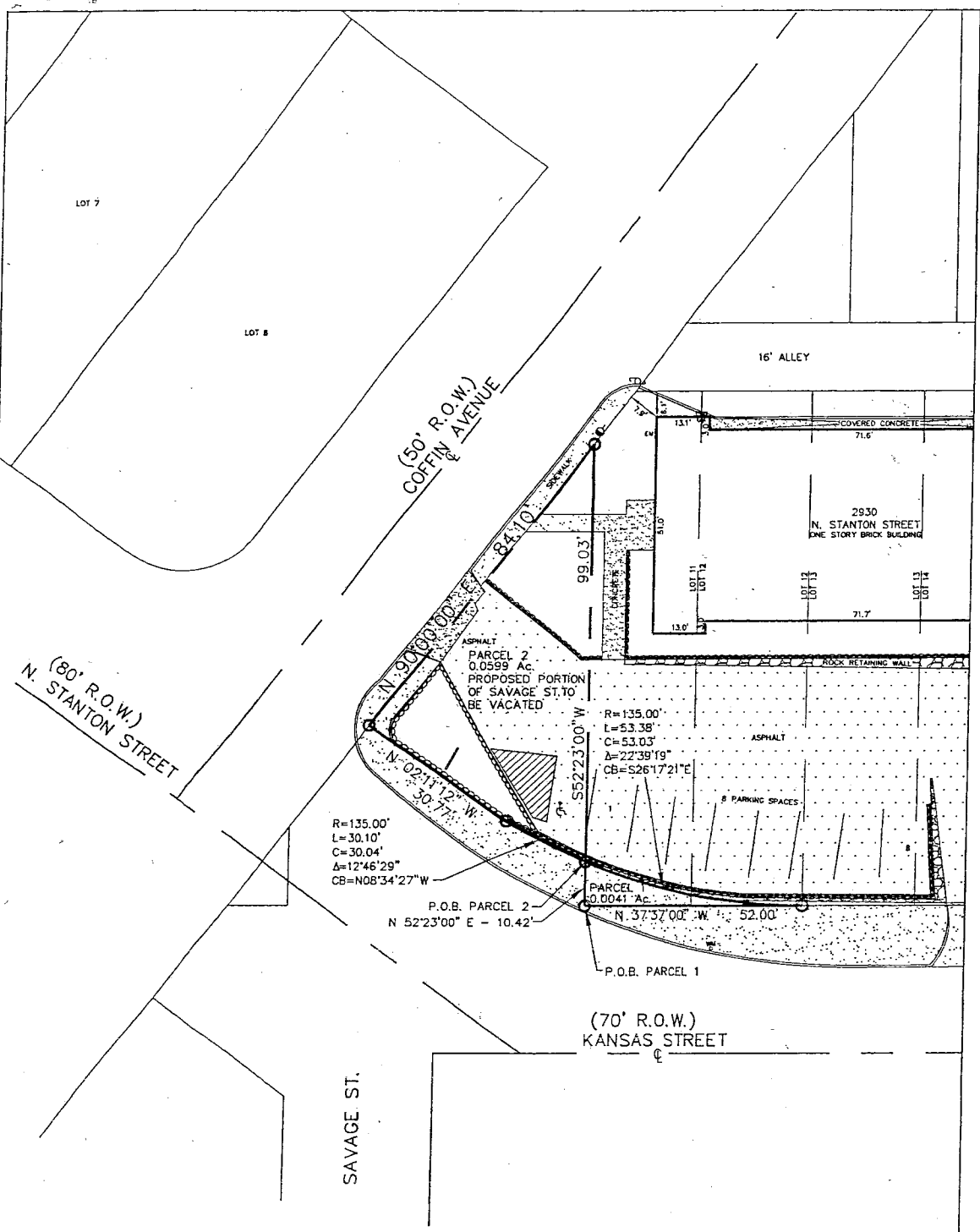
Matt Watson, Asst. City Attorney

APPROVED AS TO CONTENT:



Rudy Valdez, Chief Urban Planner
Planning, Research & Development

"A"



SCALE: 1"=30'

JOB # i604-100	DATE: AUGUST 24, 2004	FIELD: U.P.	OFFICE: J.I.
BEING A PORTION OF LOTS 11 AND 12, FRACTIONAL BLOCK 28, AND A PORTION OF SAVAGE STREET, ALEXANDER ADDITION CITY OF EL PASO, EL PASO COUNTY, TEXAS			
CONDE ENGINEERING INC. CADD FILE: C:\SU\i604100 1790 LEE TREVINO SUITE 400 EL PASO, TEXAS 79936			

"EXHIBIT A1"

Being a portion of Lots 11 and 12, Fractional
Block 28, Alexander Addition
City of El Paso, El Paso County, Texas
August 23, 2004
Parcel 1

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Lots 11 and 12, Fractional Block 28, Alexander Addition, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing bolt found at the centerline intersection of Gregory Way and Stanton Street Thence South $05^{\circ}06'15''$ East a distance of 552.22 feet to a point on the intersection of the westerly line of lot 11, fractional block 28, Alexander Addition with the easterly right of way line of Kansas Street for THE "TRUE POINT OF BEGINNING"

Thence along the westerly line of said lot 11, North $52^{\circ}23'00''$ East a distance of 10.42 feet to a point;

Thence 53.38 feet along the arc of a curve to the left whose radius is 135.00 feet whose interior angle is $22^{\circ}39'19''$ whose chord bears South $26^{\circ}17'21''$ East a distance of 53.03 feet to a point on the intersection of the common line of lots 12 and 13 fractional block 28, Alexander Addition with the easterly right of way line of Kansas Street;

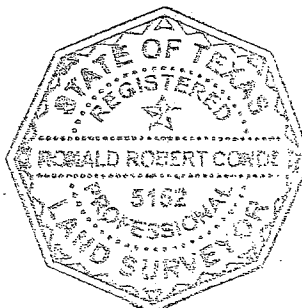
Thence along the easterly right of way line of Kansas Street North $37^{\circ}37'00''$ West a distance of 52.00 feet to the "TRUE POINT OF BEGINNING" and containing 177.6743 Square Feet or 0.0041 acres of land more or less.

NOTE: Bearings based on first supplemental map of Kern Place Addition recorded in volume 3, Page 65, Plat Records, of El Paso County, Texas

A drawing of even date accompanies this description.

R R C

Ron R. Conde
R.P.L.S. No. 5152



LGL-040604100

EXHIBIT A2

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING

Being a portion of Savage Street, Out of
Fractional Block 28, Alexander Addition
City of El Paso, El Paso County, Texas
August 23, 2004
Parcel 2

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Savage Street out of Fractional Block 28, Alexander Addition, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at a found bolt at the centerline intersection of Gregory Way and Stanton Street Thence South $06^{\circ}01'29''$ East a distance of 546.69 feet to a point on the westerly line of lot 11 fractional block 28, Alexander Addition for The "TRUE POINT OF BEGINNING"

Thence 30.10 feet along the arc of a curve to the right whose radius is 35.00 feet whose interior angle is $12^{\circ}46'29''$ whose chord bears North $08^{\circ}34'27''$ West a distance of 30.04 feet to a point;

Thence North $02^{\circ}11'12''$ West a distance of 30.77 feet to a point on the southerly right of way line of Coffin Street;

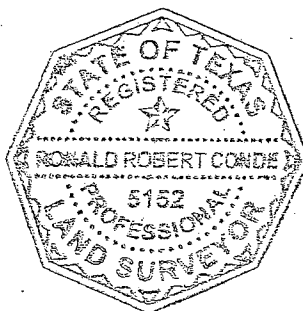
Thence along said right of way line North $90^{\circ}00'00''$ East a distance of 84.10 feet to a point;

Thence South $52^{\circ}23'00''$ West a distance of 99.03 feet to the "TRUE POINT OF BEGINNING" and containing 2,610 Square Feet or 0.0599 acres of land more or less.

NOTE: Bearings based on first supplemental map of Kern Place Addition recorded in volume 3, Page 65, Plat Records, of El Paso County, Texas

A drawing of even date accompanies this description.

R. R. Conde
Ron R. Conde
R.P.L.S. No. 5152



LGL-046604100

"EXHIBIT A3"

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING

AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN A QUITCLAIM DEED PURSUANT TO ORDINANCE 1856 WHICH VACATED CERTAIN LANDS DESCRIBED AS A PORTION OF SAVAGE STREET OUT OF BLOCK 28, ALEXANDER ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS.

WHEREAS, the El Paso City Council approved vacation ordinance 1856 on March 6, 1958; and

WHEREAS, Ordinance 1856 vacated that part of Savage Street bounded by Kansas Street, Coffin Avenue, and Lot 11 in Block F-28 of the Alexander Addition; and

WHEREAS, the abutting property owner now requests a Quitclaim Deed from the City of El Paso covering the affected lands, such Quitclaim Deed authorized by City Charter only pursuant to ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS:

1. That the Mayor shall sign an instrument quitclaiming all of the City's right, title and interest in and to such vacated property described as parcel "2", as more fully described by metes & bounds description also provided within exhibit "A" to **Rich Leasing, L.L.C.**

PASSED AND APPROVED this ____ day of _____, 2004.


THE CITY OF EL PASO

Joe Wardy
Mayor

ATTEST:


Richarda Momsen
City Clerk

APPROVED AS TO FORM:



Matt Watson, Asst. City Attorney

APPROVED AS TO CONTENT:



George Sarmiento, Director of
Planning, Research & Development

THE STATE OF TEXAS }
COUNTY OF EL PASO }

QUITCLAIM DEED

That, in consideration of the receipt by the City of equivalent value, the **CITY OF EL PASO** has released and quitclaimed and by these presents does release and quitclaim unto **Rich Leasing, L.L.C.**, all its right, title interest, claim and demand in and to the property which was vacated, closed and abandoned by **Ordinance No. 1856 as amended**, subject to the retention of any utility or drainage easements of record and of benefit to the City, such land described as a portion of Savage Street out of Fractional Block 28, Alexander Addition, City of El Paso, El Paso County, Texas, and as more particularly described in the attached described in the attached metes and bounds description of Parcel "2" identified within attachment "A" and made a part hereof by reference.

WITNESS the following signatures and seal this _____ day of _____, 2004.

THE CITY OF EL PASO

Joe Wardy,
Mayor

ATTEST:

Richarda Momsen, City Clerk

APPROVED AS TO FORM:



Matt Watson, Assistant City Attorney

APPROVED AS TO CONTENT:



George Sarmiento, Director of
Planning, Research & Development

(Acknowledgment on following page)

Acknowledgment

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

 This instrument is acknowledged before me on this _____ day of
_____, 2004, by JOE WARDY as Mayor of **THE CITY OF EL**
PASO, a municipal corporation.

My Commission Expires:

Notary Public, State of Texas
Notary's Printed or Typed Name:

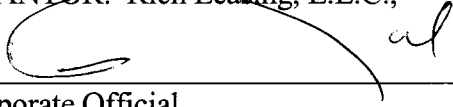
THE STATE OF TEXAS }
COUNTY OF EL PASO }

QUITCLAIM DEED

That, in consideration of the receipt by **Rich Leasing, L.L.C.** of the equivalent value, **Rich Leasing, L.L.C.** has released and quitclaimed and by these presents does release and quitclaim unto the **City of El Paso, Texas, a Municipal Corporation**, all its right, title interest, claim and demand in and to the property described as a portion of Lots 11 and 12, Fractional Block 28, Alexander Addition, City of El Paso, El Paso County, Texas, which is more particularly described in the attached metes and bounds description of Parcel "1" identified within attachment "A" and made a part hereof by reference.

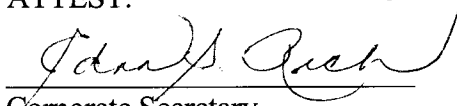
WITNESS the following signatures and seal this 29 day of September 2004.

GRANTOR: ~~Rich Leasing, L.L.C.,~~



Corporate Official

ATTEST:

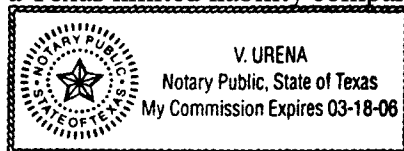



Corporate Secretary

ACKNOWLEDGEMENT

STATE OF TEXAS §
COUNTY OF ~~HARRIS~~ §
EL PASO

This instrument was acknowledged before me on the 29th day of September 2004, by St. Rich, the Corporate Officer of **Rich Leasing, L.L.C.**, a Texas limited liability company, on behalf of said company.





Notary Public, State of Texas

QUITCLAIM DEED ACCEPTED THIS _____ DAY OF _____, 2004.

BY:

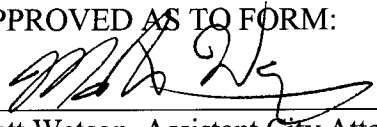
THE CITY OF EL PASO

Joe Wardy, Mayor

ATTEST:

Richarda Momsen, City Clerk

APPROVED AS TO FORM:



Matt Watson, Assistant City Attorney

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City of El Paso, El Paso County, Texas
August 23, 2004
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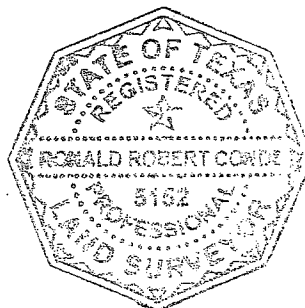
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A drawing of even date accompanies this description.

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LGL-04i604100

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283